

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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KOURTNEE GREENWOOD, #179 810

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Petitioner,

\*

v.

\* CIVIL ACTION NO. 2:05-CV-733-T

JAMES DELOACH, WARDEN, *et al.*,

\*

Respondents.

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**ORDER ON MOTION**

On August 19, 2005 Petitioner filed a Motion to Hold Petition in Abeyance and/or Postpone Further Proceedings. (Doc. No. 10.) In support of his motion, Petitioner states that he presents claims in the instant petition that have not been exhausted in state court and that he is in the process of presenting such claims in the state courts for adjudication. (*Id.*) Upon consideration of the motion, and because Respondents have not yet filed a response to Petitioner's application for habeas relief, the court concludes that the motion to hold petition in abeyance shall be denied at this time. It may be subject to reconsideration upon the filing of Respondents' answer.

Accordingly, it is ORDERED that Petitioner's Motion to Hold Petition in Abeyance and/or Postpone Further Proceedings (Doc. No. 10) is DENIED at this time.

Done this 22<sup>nd</sup> day of August, 2005.

/s/ Vanzetta Penn McPherson  
VANZETTA PENN MCPHERSON  
UNITED STATES MAGISTRATE JUDGE